

Notice of Allowability**Application No.**

09/827,803

Applicant(s)

TORRES ET AL.

Examiner

Yogesh C. Garg

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERIT IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/25/2008 & Telephone interview on 2/6/2009.
2. ☒ The allowed claim(s) is/are 1-4, 9-11, 13-20, 23-29, 59, 61, 62 and 70-111.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Yogesh C Garg/
Primary Examiner, Art Unit 3625

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/25/2008 has been entered.

2. In the Amendment filed 11/25/2008 claims 1, 59, 65, 70 and 93 are amended, claims 94-111 are added new and claims 5-8, 12, 21-22, 30-58, 60, 63-64, 66-69 are cancelled. Claims 1-4, 9-11, 13-20, 23-29, 59, 61-62, 65, 70-111 are pending for examination.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Mr. Scott A. Stinebruner on 2/6/2009.

The application has been amended as follows:

1. (Currently Amended) A computer-implemented method for creating an online funeral plan, the method comprising:

generating a profile including a plurality of profile parameters, wherein the plurality of profile parameters are related to a personal funerary preference and a lifestyle of a decedent, and the lifestyle of the decedent is associated with a profession of the decedent;

generating a plurality of groupings of products and services each associated with a profile parameter of the plurality of profile parameters;

receiving user input associated with a grouping of products and services of the plurality of groupings of products and services to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers;

retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with the grouping of products and services associated with the profile parameter and offered by the plurality of funeral service providers, wherein the grouping of products and services are preselected to complement each other and complete aspects of funeral planning, and to individually and collectively accord with the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent, wherein each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider;

steering generation of the funeral plan according to the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent by

prompting user selections from the grouping of products and services associated with the profile parameter; ~~and~~

outputting the requested pricing information to the user ~~[[.]]~~ ; and

wherein the generating the profile, generating the plurality of groupings, receiving user input, retrieving, steering, and outputting steps are implemented by executable software stored in a computer.

65. (Cancelled)

70. (Currently Amended) A computer-implemented method for creating an online funeral plan, the method comprising:

generating a plurality of budgetary parameters, wherein the plurality of budgetary parameters is indicative of at least one of an expectant budget for the plan, an income associated with a user, a geographic consideration, or an insurance consideration:

generating a plurality of groupings of products and services each associated with a budgetary parameter of the plurality of budgetary parameters, wherein each product and service in the groupings of the plurality of groupings of products and services is included because it meets or complements a budgetary criterion or requirement associated with the budgetary parameter;

receiving user input associated with a grouping of products and services of the plurality of products and services to obtain requested pricing information on a product

and/or service offered by a selected funeral service provider among a plurality of funeral service providers;

retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with the grouping of products and services associated with the budgetary parameter and offered by the plurality of funeral service providers, wherein the grouping of products and services are preselected to further complement each other and complete aspects of funeral planning, wherein each funeral service provider is associated with a distinct set of products and services from the plurality of groupings of products and services, and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider;

steering generation of the funeral plan according to the budgetary parameter of the plurality of budgetary parameters by prompting user selections from the grouping of products and services associated with the budgetary parameter; and

outputting the requested pricing information to the user [[.]] ; and
wherein the generating the plurality of budgetary parameters, generating the plurality of groupings, receiving user input, retrieving, steering and outputting steps are implemented by executable software stored in a computer.

94. (Currently Amended) A computer-implemented method for creating an online funeral plan, the method comprising:

generating a profile including a plurality of profile parameters, wherein the plurality of profile parameters are related to a personal funerary preference and a lifestyle of a decedent, and the lifestyle of the decedent is associated with a hobby of the decedent;

generating a plurality of groupings of products and services each associated with a profile parameter of the plurality of profile parameters;
receiving user input associated with a grouping of products and services of the plurality of groupings of products and services to obtain requested pricing information on a product or service offered by a selected funeral service provider among a plurality of funeral service providers;

retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with the grouping of products and services associated with the profile parameter and offered by the plurality of funeral service providers, wherein the grouping of products and services are preselected to complement each other and complete aspects of funeral planning, and to individually and collectively accord with the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent, wherein each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider;

steering generation of the funeral plan according to the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent by

prompting user selections from the grouping of products and services associated with the profile parameter; ~~and~~

outputting the requested pricing information to the user [[.]] ; and
wherein the generating the profile, generating the plurality of groupings, receiving
user input, retrieving, steering, and outputting steps are implemented by executable
software stored in a computer.

4. The following is an examiner's statement of reasons for allowance:

Claims 1-4, 9-11, 13-20, 23-29, 59, 61-62, 70-111 are allowed, of which claims 1, 59, 70 93 and 94 are independent claims and rest are dependencies of one of these dependent claims.

With reference claim 1, the cited prior art of record, alone or combined, does neither anticipate nor render obvious, a computer-implemented method for creating an online funeral plan, the computer implemented method, wherein the following steps are implemented by a software stored in a computer comprising, as a whole, generating a profile including a plurality of profile parameters, wherein the plurality of profile parameters are related to a personal funerary preference and a lifestyle of a decedent, and the lifestyle of the decedent is associated with a profession of the decedent, generating a plurality of groupings of products and services each associated with a profile parameter of the plurality of profile parameters, receiving user input associated with a grouping of products and services of the plurality of groupings of products and services to obtain requested pricing information on a product or service offered by a

selected funeral service provider among a plurality of funeral service providers, retrieving in response to the user input the requested pricing information by accessing a database storing pricing information associated with the grouping of products and services associated with the profile parameter and offered by the plurality of funeral service providers, wherein the grouping of products and services are preselected to complement each other and complete aspects of funeral planning, and to individually and collectively accord with the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent, wherein each funeral service provider is associated with a distinct set of products and services from the plurality of products and services, and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider, steering generation of the funeral plan according to the profile parameter that relates to the personal funerary preference and the lifestyle of the decedent by prompting user selections from the grouping of products and services associated with the profile parameter, and outputting the requested pricing information to the user.

With reference claims 59 and 94, their language and limitations being similar to those of claim 1, they are also analyzed and allowed based on the same rationale as set forth for claim 1 above. The dependent claims of independent claims 1, 59 and 94 are also allowed for the same reasons set forth for claim 1 above. Claim 59 has been recited as a program product comprising an executable program configured to carry out the recited steps wherein the program is *stored on a recordable computer readable*

medium (see claim 59, lines 1-2 and the last line of the claim). The examiner has considered this recordable computer readable medium as a memory device, floppy and other removable disk drives, optical disks but does not include signal or a transmission type media such as digital and analog communication links (see applicant's specification, page 9, lines 14-23) because signal and transmission media are not patentable.

Regarding claim 70, the cited prior art of record, alone or combined, does neither anticipate nor render obvious, a computer-implemented method for creating an online funeral plan, the computer implemented method, wherein the following steps are implemented by a software stored in a computer comprising, as a whole, generating a plurality of budgetary parameters, wherein the plurality of budgetary parameters is indicative of at least one of an expectant budget for the plan, an income associated with a user, a geographic consideration, or an insurance consideration, generating a plurality of groupings of products and services each associated with a budgetary parameter of the plurality of budgetary parameters, wherein each product and service in the groupings of the plurality of groupings of products and services is included because it meets or complements a budgetary criterion or requirement associated with the budgetary parameter, receiving user input associated with a grouping of products and services of the plurality of products and services to obtain requested pricing information on a product and/or service offered by a selected funeral service provider among a plurality of funeral service providers, retrieving in response to the user input the

requested pricing information by accessing a database storing pricing information associated with the grouping of products and services associated with the budgetary parameter and offered by the plurality of funeral service providers, wherein the grouping of products and services are preselected to further complement each other and complete aspects of funeral planning, wherein each funeral service provider is associated with a distinct set of products and services from the plurality of groupings of products and services, and wherein the database maintains pricing information for the set of products and services associated with each funeral service provider, steering generation of the funeral plan according to the budgetary parameter of the plurality of budgetary parameters by prompting user selections from the grouping of products and services associated with the budgetary parameter, outputting the requested pricing information to the user and wherein the generating the plurality of budgetary parameters, generating the plurality of groupings, receiving user input, retrieving, steering and outputting steps are implemented by executable software stored in a computer.

With reference claim 93, its language and limitations being similar to those of claim 70, it is also analyzed and allowed based on the same rationale as set forth for claim 70 above. The dependent claims of independent claims 70 and 93 are also allowed for the same reasons set forth for claim 70 above. Claim 93 has been recited as a program product comprising an executable program configured to carry out the recited steps wherein the program is *stored on a recordable computer readable medium* (see

claim 93, lines 1-2 and the last line of the claim). The examiner has considered this recordable computer readable medium as a memory device, floppy and other removable disk drives, optical disks but does not include signal or a transmission type media such as digital and analog communication links (see applicant's specification, page 9, lines 14-23) because signal and transmission media are not patentable.

Discussion of best cited prior art: The applicant's arguments filed 11/25/2008, see pages 16-22 with reference to claims 1, 59, 70, 93 and 94 are persuasive that U.S. Patent Application Publication No. 2001/0032093 to Segal ("Segal") in view of Buycaskets.com (PTO-892, Ref. U) ("Buy") does not teach or render obvious all the limitations recited in independent claims 1, 59, 70, 93 and 94.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex/Hoteling.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yogesh C Garg
Primary Examiner
Art Unit 3625

/Yogesh C Garg/
Primary Examiner, Art Unit 3625